

action; consultation is required for agency actions that are intended to benefit species; consultation is required for agency regulations with no direct on-the-ground impact; and consultation is required for agency actions that "indirectly" cause modification to the land, water, or air.

The regulations also impose burdensome documentation requirements, far beyond the ESA, that guarantee that even the most minor consultation will be long and slow. The action agency is required to initiate every formal consultation with a detailed written report on the manner in which the action may affect any listed species or critical habitat and an analysis of any cumulative effects, and must also provide the best scientific and commercial information available or which can be obtained during the consultation for an adequate review of the effects that an action may have upon listed species or critical habitat. Moreover, while the ESA only requires "biological assessments" to be prepared for "major construction activities," the joint regulations make this detailed analysis a virtual requirement for every agency action.

The joint regulations then mandate that a biological opinion include a detailed discussion of the effects of the action on listed species or critical habitat that addresses all of the indirect, interrelated, interconnected and cumulative effects as defined in the regulations. In contrast, the ESA only requires that a biological opinion set forth a summary of the information on which the opinion is based, detailing how the agency action affects the species or its critical habitat.

The Services have the authority under existing law to amend their regulations to improve the operation of the process. The agencies can initiate a rulemaking process to amend their regulations, with notice and opportunity for the public to comment, following the same procedures as were employed for the original 1986 regulations. No amendment of the ESA is required. The amendment I am offering merely directs the Services to use a portion of their fiscal year 2002 funds to review the consultation regulations and propose changes that will bring this process into line with the realities of the 21st Century and will enable all federal agencies to fulfill their obligations under the ESA.

The Endangered Species Act is besieged with problems that must be solved in order to adequately protect listed species and recover them. At the same time, many Western communities feel that they have been assaulted by the ESA in the last two decades. Win-win solutions often evade us as policymakers when it comes to issues that are as contentious as the Endangered Species, but this is truly a win-win for species AND people. Again, my sincere thanks to the chairman and Ranking Member of the Commerce Appropriations Subcommittee for their assist-

ance in finding solutions to this troubling issue.

Mr. BREAUX. Mr. President, last year this Committee and Congress passed legislation to privatize INMARSAT [International Maritime Satellite Organization]. As part of the privatization, INMARSAT is required to hold an initial public offering [IPO]. INMARSAT's IPO deadline is set for December 31 of this year. Since the IPO market continues to be in bad shape, INMARSAT and its investment advisors would like time to see if the market improves.

INMARSAT was established in 1979 to improve maritime communications especially for distress and safety signals. Over the past two decades, INMARSAT has branched out to serve both maritime markets and increasingly any markets requiring mobility—shipping, oil and gas exploration and the FAA.

Since the IPO market has nosedived, INMARSAT has been waiting for conditions to improve. All of the extensions available to INMARSAT have now been used and the FCC has no more discretion to extend the deadline.

The dilemma is that if INMARSAT does not hold the IPO it will be in violation of U.S. law, and if it does hold the IPO, they could be found in breach of its fiduciary responsibility to its shareholders, possibly subjecting itself to shareholder lawsuits.

My amendment would simply give the FCC the ability to extend the deadline an additional 18 months to see if the IPO market improves. A large number of U.S. companies have pulled their IPOs off the market given market conditions. We are trying to privatize INMARSAT and we should allow them to act like a company.

#### IN SUPPORT OF THE BROADCASTING BOARD OF GOVERNORS' NEW MIDDLE EAST RADIO NETWORK

Mr. INOUE. Mr. President, I rise today to express my support for a proposal by the Broadcasting Board of Governors to enhance and expand service to the Middle East. According to the Chairman of the Broadcasting Board of Governors, the mission of U.S. international broadcasting is to promote the open communication of information and ideas in support of democracy, and the freedom to seek, receive, and impart information, worldwide. In pursuit of this goal, the Broadcasting Board of Governors has proposed a new station, the Middle East Radio Network.

Would Senator BOXER care to enlighten us on the current U.S. Government sponsored Arabic language broadcasting in the Middle East?

Mrs. BOXER. Yes, I would and I thank the Senator for this opportunity to describe the important results of the board's most recent Language Service Review. This review found that our current broadcasting efforts in the

Middle East only reach approximately 2 percent of the population. The board's 2001 Language Service Review highlighted the importance of revitalizing America's Arabic programs in order to offset local Arabic radio broadcasts that often serve to incite violence in the region. An alternative must be offered to the hate radio that so often incites the population to violence.

In February, Broadcasting Board of Governors' representatives traveled throughout the Middle East to gather facts, to talk to government and media officials, and to begin to build a concept for success. The research emphasized the need for a greater U.S. media presence and increased local content to U.S. broadcasts. The researchers found that in spite of widespread opposition to the U.S. policies, there is a strong attraction to the American values of freedom and individualism. In addition, the Arab public would like information about U.S. businesses, technology and advances in medicine. I believe my colleague from Nebraska would like to discuss the Broadcasting Board of Governors' plans to address the shortcomings in our broadcasting services to the Middle East.

Mr. HAGEL. I thank the Senator for the opportunity to speak about the new broadcast service proposed by the Broadcasting Board of Governors for fiscal year 2002. The goal is to provide broadcasts that will appeal to a broad Arabic-speaking audience by providing news and information about events in the region. The working name for this station is the Middle East Radio Network. It would be a 24 hour per day, 7 days per week Arabic-language station to be delivered via a combination of local MW and FM, and shortwave to areas where local delivery is not possible. Programming will include news, music, talk, and interactive programs with listener participation. The Broadcasting Board of Governors plans to feature reliable news and discussion of issues relevant to the audience in a format to appeal to young adults and to news-seekers of all ages. The programs will embody two important themes: individual choice and respect for others. In a region where more than half of the population is under 25, a successful station must appeal to young people who are the best hope to end the cycle of violence that has ravaged the region.

I know my colleague from Washington would like to discuss the delivery of this new service in the Middle East, and I invite her to comment.

Mrs. MURRAY. The expansion and enhancement of our radio programming in the Middle East are critical to the success of our policies in the region. The proposed service would reach audiences in the West Bank and Gaza, the Gulf, Egypt, Iraq, Jordan, and Sudan in the most popular media of AM, FM and satellite program delivery. This is an area where we cannot afford to deliver our message through a third party

broadcaster, and we must deliver accurate information about events occurring in the region. We must be an accessible voice in the region with a program and format that will attract a broader audience. This expanded service will also provide the region with increased exposure to news and information and Western journalistic standards of a free press. This provision of information will help counter the existing regional broadcasts which are often censored or under state control.

I am confident this increased information will help us further our policy goals of establishing peace and stability in the region. In light of the terrible events of this week, I appreciate the opportunity to register my support for this program and our international broadcasting efforts. I would also add that I concur with the comments of my colleagues.

Mrs. BOXER. I also concur with the remarks of my colleagues.

Mr. HAGEL. I also concur with my colleagues and would like to ask Senator INOUE to provide his final comments.

Mr. INOUE. I concur in the comments of my colleagues about the importance of the enhanced programming in the Middle East proposed by the Broadcasting Board of Governors. It is my hope that the proposed service will help disseminate news and information throughout the region. I am pleased that the Broadcasting Board of Governors has committed to providing this much-needed service and look forward to working with my colleagues to support the Middle East Radio Network.

#### ADDITIONAL STATEMENTS

##### STEPFAMILY DAY

• Ms. STABENOW. Mr. President, I rise today to recognize National Stepfamily Day, a day that reminds us that families don't need to be bound by biology to be grounded in love and respect.

The Stepfamily Association of America and 38 States recognize September 16 as National Stepfamily Day. On this day, stepfamilies nationwide are encouraged to hold picnics and other activities to bring our stepfamilies together so they can share their experiences.

Stepfamily Day came about through the efforts of Michigan's Christy Borgeld, a board member of the Stepfamily Association of America. I applaud her efforts and those of the membership of the Stepfamily Association of America.

When we celebrate Stepfamily Day, we really celebrate the ties that make all our families one of our most precious national treasures, dedicated parents working to ensure their children grow up in safe and loving homes.

It is my pleasure to pay tribute to the Stepfamily Association of America for its commitment and hard work on

behalf of American families, and to wish families in Michigan and nationwide a happy and successful Stepfamily Day.●

##### TRIBUTE TO PETE SUAZO

• Mr. HATCH. Mr. President, I rise to pay tribute to Eluid Pete Suazo, a distinguished Utah State Senator whose untimely death in August has had a tremendous impact—not only on his family and close friends, but also on the entire state of Utah.

At the time of his death, Senator Suazo represented Salt Lake City's multi-cultural west side, and he also served as the Assistant minority whip. Pete was heralded for his unfailing determination and advocacy for his constituents. Indeed, his integrity and absolute dedication won Senator Suazo respect from his colleagues on both sides of the aisle.

As the only Hispanic member of the Utah Legislature, Pete felt a strong sense of responsibility to honor and help Utah's growing Hispanic and minority populations. He was a top leader of the Hispanic community, who was also able to cross Utah's ethnic and political lines to effect policies benefiting the entire community. I remember how Pete's wife, Alicia, fondly recalled the day her husband decided to run for office. He passionately stated, "The Chicano boy is going to be a senator, not in New Mexico, but in Utah where the work is going to be doubly hard and the victory glorious." This optimism showed in Pete's face, for he was always smiling.

Pete fought for the underdog and the less privileged. For those who sought his advice and assistance, he always had a helping hand and a listening ear. He worked tirelessly to improve the lives of the youth in his neighborhood. He organized graffiti removal teams, baseball and soccer leagues, summer work programs, and provided so many other opportunities to strengthen the characters of countless young men and women.

Over the past few years, Pete helped reinvigorate amateur boxing in Utah and participated as a referee to ensure safety in the sport. The Senator undertook these and many other volunteer efforts to help the less fortunate, always giving hope to those who needed it so much.

Senator Suazo's work ethic was extraordinary and was developed at a very young age. He took great pride in whatever he was doing—from selling popcorn at a charity carnival in his youth to serving as a leading state senator. Throughout his life, he used his tremendous energy and his capacity for hard work to champion the causes in which he so fervently believed.

While serving in the Utah legislature, Senator Suazo was not afraid of the tough battles. In recent years, his work to adopt a more pro-active and stronger hate crimes law defined Pete Suazo's leadership and determination. He never

gave up, and through his efforts this issue rose to the forefront of the legislature's attention.

Mr. President, Utah has lost a true hero. Senator Pete Suazo was a man with great integrity, strong personal conviction, and a humble heart. His life was an example of dedicated public service and utmost love for his community and fellow man. I hope my colleagues will join me in sending our heartfelt thoughts and prayers to the Suazo family—his wife, Alicia, and their children Travis, Abel, Emilio and Julio, his parents Pat and Lily, his siblings Kathy, Becky, Georgia, Anna, Ellie and Andy—and also to the many, many friends and neighbors of Pete who will deeply miss him. My hope is that future generations of Utahns will have the desire to follow in this good man's footsteps, and continue his legacy of work for the people of Utah. In so many instances Pete did not only dream the impossible dream, he strove for and attained it.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### REPORT ON THE DECLARATION OF NATIONAL EMERGENCY BY REASON OF CERTAIN TERRORIST ATTACKS—MESSAGE FROM THE PRESIDENT—PM 40

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

##### *To the Congress of the United States:*

Pursuant to section 201 of the National Emergencies Act (50 U.S.C. 1621), I hereby report that I have exercised my authority to declare a national emergency by reason of the terrorist attacks at the World Trade Center, New York, New York, and the Pentagon, and the continuing and immediate threat of further attacks on the United States. A copy of my proclamation is attached.

Further, I have authorized, pursuant to section 12302 of title 10, United States Code, the Secretary of Defense, and the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service within